

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
MIGUEL A. CRESPO, III,**

Plaintiff,

**9:18-cv-827
(GLS/ATB)**

v.

DANIEL DIBBLE et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Miguel A Crespo, III
Pro se
397 Goethe Street (Lower Front)
Buffalo, NY 14212

FOR THE DEFENDANTS:

HON. LETITIA JAMES
New York State Attorney General
The Capitol
Albany, NY 12224

NICHOLAS LUKE ZAPP
Assistant Attorney General

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following a Report-Recommendation (R&R) by Magistrate Judge Andrew T. Baxter duly filed on March 25, 2020. (Dkt. No. 31.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections¹ having been filed, and the court having reviewed the R&R for clear error, it is hereby

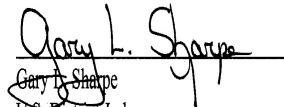
ORDERED that the Report-Recommendation (Dkt. No. 31) is **ADOPTED** in its entirety; and it is further
ORDERED that defendants' motion for summary judgment (Dkt. No. 28) is **GRANTED**; and it is further

ORDERED that Crespo's amended complaint (Dkt. No. 8) is **DISMISSED WITH PREJUDICE**; and it is further
ORDERED that the Clerk is directed to close this case; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

April 16, 2020
Albany, New York


Gary L. Sharpe
U.S. District Judge

¹ On March 25, 2020, Crespo's copy of the R&R was mailed to the address listed on the docket by regular mail and certified mail. (Dkt. No. 31.) Both copies were returned with an indication that there was a problem with delivery as addressed. (Dkt. Nos. 32, 33.) Crespo has apparently failed to keep the court apprised of his residence with the filing of a notice of change of address as required by Local Rules 10.1(c)(2) and 41.2(b).